UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF WEST VIRGINIA CHARLESTON DIVISION

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION

MDL No. 2327 Honorable Joseph R. Goodwin

DEBBIE O'DELL,

v.

Plaintiff(s),

CASE NO. <u>2:12-cv-4429</u>

ETHICON, INC., et al.

APPROVED and SO ORDERED.
ENTER: 10/23/12

Defendant(s).

MOTION TO TRANSFER MDL

COME NOW the plaintiff(s), by and through the undersigned counsel, and move the court to transfer this member case from MDL 2327, In re: Ethicon, Inc., Pelvic Repair System Products Liability Litigation, to:

MDL 2325

Plaintiff(s) herein filed a Complaint in MDL 2327 against Ethicon, Inc., and others.

Plaintiff(s) later filed an Amended Short Form Complaint that no longer included Ethicon, Inc. or another named defendant in that litigation; included instead, among others, were the following parties from MDL 2325:

American Medical Systems, Inc.
American Medical Systems Holdings, Inc.
Endo Pharmaceuticals, Inc.
Endo Health Solutions, Inc. (f/k/a Endo Pharmaceuticals Holdings, Inc.)

Because Ethicon, Inc. or another defendant named in the Master Complaint, is no longer a named defendant in this member case, Plaintiff(s) respectfully request that the Court: 1)

GRANT the Plaintiff(s) motion to transfer this civil action from MDL 2327 to MDL2325; and 2) direct the Clerk to disassociate this civil action as a member case in MDL 2327 and re-associate it with MDL 2325.

Dated this 18 day of October, 2012.

/s Douglass A. Kreis

Douglass A. Kreis, Esq.
Bryan F. Aylstock, Esq.
D. Renee Baggett, Esq.
Neil D. Overholtz, Esq.
AYLSTOCK, WITKIN, KREIS &
OVERHOLTZ, PLLC
17 E. Main Street, Suite 200
Pensacola, Florida 32502
Phone: (850) 202-1010
Facsimile: (850) 916-7449
dkreis@awkolaw.com
baylstock@awkolaw.com
rbaggett@awkolaw.com

noverholtz@awkolaw.com

J. Gerard Stranch, IV, Esq.
Benjamin A. Gastel, Esq.
BRANSTETTER STRANCH &
JENNINGS, PLLC
227 Second Avenue North, Fourth Floor
Nashville, Tennessee 37201
Phone: (615) 254-8801
Fax: (615) 250-3937
gerards@branstetterlaw.com

Attorneys for Plaintiff

beng@branstetterlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on October <u>18</u>, 2012, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

/s Douglass A. Kreis
Douglass A. Kreis, Esq.